

REMARKS

Claims 1-11 have been examined. Claims 7 and 8 have been rejected under 35 U.S.C. § 112, second paragraph, claims 1, 2, 5, 7, 8 and 10 have been rejected under 35 U.S.C. § 102(b) and claims 1-3 and 5-11 have been rejected under 35 U.S.C. § 103(a). Also, the Examiner has indicated that claim 4 contains allowable subject matter.

I. Rejections under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 7 and 8 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Accordingly, Applicant has amended the claims in a manner believed to overcome the rejection.

With specific regard to claim 8, the Examiner maintains that the scope of the claim is unclear. In particular, the claim refers to the tires built by the tire building system of claim 7, but it is allegedly unclear how exactly the tire building system is used in the method. Applicant submits that claim 8 is supported by the disclosure in paragraph [0053] on page 14 of the specification. Applicant has amended claim 8 in a manner believed to overcome the rejection.

II. Rejections under 35 U.S.C. § 102(b) or alternatively under 35 U.S.C. § 103(a) in view of U.S. Patent No. 4,138,307 to Rost (Rost)

The Examiner has rejected claims 1, 2, 5, 7, 8 and 10 under 35 U.S.C. § 102(b) or alternatively under 35 U.S.C. § 103(a) in view of Rost.

A. Claim 1

By this Amendment, Applicant has incorporated the allowable subject matter of claim 4 and intervening claim 2 into claim 1. Accordingly, the rejection of claim 1 is now moot.

B. Claim 2

Since the features of claim 2 have been incorporated into claim 1, Applicant has canceled claim 2 without prejudice or disclaimer.

C. Claim 5

Applicant submits that claim 5 is patentable at least by virtue of its dependency.

D. Claim 7

Since claim 7 recites features that are analogous to the features recited in claim 1, Applicant submits that claim 7 is patentable for at least analogous reasons as claim 1.

E. Claims 8 and 10

Applicant submits that claims 8 and 10 are patentable at least by virtue of their incorporation of the features of either claim 1 or claim 7 therein.

III. Rejections under 35 U.S.C. § 102(b) or alternatively under 35 U.S.C. § 103(a) in view of U.S. Patent No. 3,745,085 to Bertrand et al. (“Bertrand”)

The Examiner has rejected claims 1, 5, 7, 8 and 10 under 35 U.S.C. § 102(b) or alternatively under 35 U.S.C. § 103(a) in view of Bertrand.

A. Claim 1

By this Amendment, Applicant has incorporated the allowable subject matter of claim 4 and intervening claim 2 into claim 1. Accordingly, the rejection of claim 1 is now moot.

B. Claim 5

Applicant submits that claim 5 is patentable over the cited reference at least by virtue of its dependency.

C. Claim 7

Since claim 7 recites features that are analogous to the features recited in claim 1, Applicant submits that claim 7 is patentable for at least analogous reasons as claim 1.

D. Claims 8 and 10

Applicant submits that claims 8 and 10 are patentable at least by virtue of their incorporation of the features of either claim 1 or claim 7 therein.

IV. Rejection under 35 U.S.C. § 103(a) in view of Rost or Bertrand and further in view of U.S. Patent No. 4,547,251 to Landsness (“Landsness”) or JP 2002-28986 to Takagi (“Takagi”)

The Examiner has rejected claim 3 under 35 U.S.C. § 103(a) as allegedly being unpatentable in view of Rost or Bertrand and further in view of either Landsness or Takagi. Applicant submits that claim 3 is patentable at least by virtue of its dependency.

V. Rejections under 35 U.S.C. § 103(a) in view of Rost or Bertrand and further in view of U.S. Publication No. 2003/0170336 to Caretta et al. (“Caretta”)

The Examiner has rejected claims 6 and 11 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rost or Bertrand in view of Caretta. Applicant submits that claims 6 and 11 are patentable at least by virtue of their dependency.

VI. Rejection under 35 U.S.C. § 103(a) in view of Rost or Bertrand and further in view of U.S. Patent No. 3,776,802 to Mallory et al. (“Mallory”)

The Examiner has rejected claim 9 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rost or Bertrand in view of Mallory. Applicant submits that claim 9 is patentable at least by virtue of its dependency.

VII. Allowable Subject Matter

As set forth above, the Examiner has indicated that claim 4 contains allowable subject matter. Since the features of claim 4 have been incorporated into claim 1, claim 4 has been canceled without prejudice or disclaimer.

VIII. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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